

REMARKS

The present Corrected Response is filed, pursuant to the Notice of Non-Compliant Amendment mailed November 7, 2007, to provide proper claim status identifiers in accordance with formality requirements. This response corrects the formality errors that were inadvertently in the Amendment filed on October 29, 2007. Except for corrections to claim status identifiers for claims 4 and 10, no other substantive changes have been made to that Amendment.

Claims 1-6, 9, and 10, were previously allowed. Claims 1, 4, 9, and 10 have been amended, claims 21 and 22 are new. Claims 1-6, 9, 10, 21, and 22 are pending.

The only independent claims, namely claims 1 and 9, have been amended. Amended claim 1 requires “an actuator coupled to receive the actuator signal from said processor, such actuator having a rotational energy output coupled to the brace at a location proximate to a portion thereof adjacent to the joint.” Similarly, amended claim 9 requires “an actuator coupled to receive the sensor signal from said processor, such actuator having a rotational energy output coupled to the brace at a location proximate to a portion thereof adjacent to the joint.” Support for these amendments is found in the specification on page 8, first full paragraph, lines 5-18, and page 13, first full paragraph, lines 1-14.

These limitations distinguish over U.S. Patent 3,631,542 to Potter. Potter discloses a hydraulic linear actuator 38 that includes a pushrod 42 to impart linear energy to an ear 48 of a moveable finger support 26 of a brace. Fig. 1. Although Potter includes an electric motor 106, which has a rotational energy output, the motor pointedly is not for use as an actuator but rather to power a pump 78 for driving the hydraulic linear actuator 38. Thus, when provided with a motor having a rotational output, Potter uses the output to drive the hydraulic linear actuator 38 rather than to provide actuation. Accordingly, Potter teaches away from the structure herein claimed, which requires an actuator having a rotational energy output coupled to the brace at a location proximate to a portion of the brace adjacent to the joint.

Dependent claims 4 and 10 are amended to conform those claims to claims 1 and 9, from which they respectively depend, as amended herewith. Support for these amendments is found in the specification on page 8, first full paragraph, lines 5-18.

New dependent claim 21, depending from claim 2, claims a gain control that allows adjustment of the control loop in accordance with the needs of the person. New dependent claim 22, depending from claim 9, claims a gain control that allows adjustment of the control means in accordance with the needs of the person. Support for these claims are found in the specification in the last full paragraph on page 18, lines 19-29.

Applicants believe these amendments put the application in condition for allowance. Reconsideration of the application and issuance of a notice of allowance are respectfully requested. Applicants believes that no additional fees or an extension of time is required. Please apply any additional charges or credits to Deposit Account No. 19-4972.

Respectfully submitted,

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